



District of West Vancouver

Development Permit No. 18-053

REGISTERED OWNER: British Pacific Properties Limited

This Development Permit applies to:

CIVIC ADDRESS: Lot 2, Rodgers Creek Area 6 (as described in attached Schedule 'A')

LEGAL DESCRIPTION: See attached Schedule 'A'
(the "Lands")

1.0 This Development Permit:

- (a) imposes requirements and conditions for the development of the Lands: which are designated by the Official Community Plan as the Rodgers Creek Area of the Upper Lands Development Permit Area to provide for the protection of the natural environment, its ecosystems and biological diversity, to provide for the protection of development from hazardous conditions and to regulate the form and character of intensive residential and multifamily development; and is subject to Guideline UL8.1 specified in the Official Community Plan;
- (b) varies and supplements Zoning Bylaw 4662, 2010 as described below, and
- (c) is issued subject to the Registered Owner's compliance with all of the Bylaws of the District applicable to the Lands, except as varied or supplemented by this Permit.

2.0 The following requirements and conditions shall apply to the Lands:

- 2.1 Buildings, structures, driveways and site development must take place in accordance with the attached **Schedule 'B'**.
- 2.2 On-site landscaping must be installed at the cost of the Owner in accordance with the attached **Schedule 'B'** and shall exclude any plants identified in the District's Invasive Plant Strategy.
- 2.3 Sustainability measures and commitments must take place in accordance with the attached **Schedule 'B'** including achieving minimum BuiltGreen Silver. Compliance with these requirements shall be demonstrated through provision of sufficient documentation to the satisfaction of the Chief Building Official.

- 2.4 Notwithstanding Conditions 2.1, 2.2 and 2.3 above, the Director of Planning and Development Services may determine that minor changes to the proposal still comply with the Development Permit plans where proposed changes do not materially affect the intent of the plans attached to this Development Permit or result in a variance to the Zoning Bylaw.
 - 2.5 Zoning Bylaw 4662, 2010, Section 603.08 (Yards) is varied to allow a minimum front yard for buildings of 5 metres.
 - 2.6 Zoning Bylaw 4662, 2010, Section 603.09 (Off-street Parking) is varied to allow 20 parking spaces on the Lands.
 - 2.7 Electrical conduit shall be installed to allow for electric vehicle charging at all parking spaces within the building.
 - 2.8 All balconies, decks, and patios on the Lands shall at all times remain fully open, uncovered, and unenclosed, except for eaves and as shown in Schedule 'B'.
 - 2.9 Sprinklers must be installed in all areas of the building as required under the Fire Protection and Emergency Response Bylaw No. 4366, 2004.
- 3.0 **Prior to issuance of Building Permit for any building or structure on the Lands:**
- 3.1 A section 219 Covenant shall be placed on the Lands to require that all balconies, decks, and patios remain fully open, uncovered, and unenclosed, except for eaves and as shown in **Schedule 'B'**.
 - 3.2 Engineering civil drawings detailing the storm water management measures that contribute to the proper functioning condition of adjacent watercourses must be submitted to and approved by the District's Manager of Land Development.
 - 3.3 The Lands shall be subdivided to create Proposed Lot 2 as shown in **Schedule 'A'**.
 - 3.4 Security for the due and proper completion of the on-site landscaping set forth in Section 2.0 of this Development Permit must be provided (the "Landscaping Deposit") in the amount of \$270,000 to the District in the form of cash or an unconditional, irrevocable auto-renewing letter of credit issued by a Canadian chartered bank or credit union and:
 - (a) a minimum 20% of the initial value of the Landscaping Deposit shall be retained by the District for one year after installation of the landscaping, as a warranty deposit to ensure successful installation of the landscaping; and
 - (b) the initial value of the Landscaping Deposit may only be reduced to the warranty level and the warranty shall only be released when the registered member of the BCSLA for the project provides a field report to the District confirming successful installation of the on-site landscaping in accordance with **Schedule 'B'** to this Development

Permit.

4.0 This Development Permit lapses if the work authorized herein is not commenced within 24 months of the date this permit is issued.

In the event the Owner is delayed or interrupted or prevented from commencing or continuing the development by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the Owner, the time for the completion of the work shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that the commercial or financial circumstances of the Owner shall not be viewed as a cause beyond the control of the Owner.

THE COUNCIL OF WEST VANCOUVER APPROVED THIS PERMIT BY RESOLUTION PASSED ON SEPTEMBER 10, 2018.

MAYOR

MUNICIPAL CLERK

THE REQUIREMENTS AND CONDITIONS UPON WHICH THIS PERMIT IS ISSUED ARE ACKNOWLEDGED AND AGREED TO. IT IS UNDERSTOOD THAT OTHER PERMITS / APPROVALS MAY BE REQUIRED INCLUDING PERMITS / APPROVALS FOR BUILDING CONSTRUCTION, SOIL AND ROCK REMOVAL OR DEPOSIT, BOULEVARD WORKS, AND SUBDIVISION.

Owner: Signature

Owner: Print Name above

Date

Owner: Signature

Owner: Print Name above

Date

FOR THE PURPOSES OF SECTION 4.0, THIS PERMIT IS ISSUED ON SEPTEMBER 10, 2018.

Schedules:

A – Legal Description of Subject Lands

B - Architectural and Landscape Drawing booklet

Schedule 'A' – Description of Subject Lands

1. Existing Legal Parcel being the subject of this Permit:

That Part of District Lot 888 Group 1 Lying to The East of Blocks B and C Plan 2056 Except Plans 21009, 21528, BCP386, EPP25625 AND LMP12499

2. Proposed Lot 2 as provided for by Development Permit No. 16-079 shown below.

